

Notice of Allowability

Application No.

10/665,195

Examiner

Paul Huber

Applicant(s)

COENE ET AL.

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the paper filed November 26, 2003.
2. ☒ The allowed claim(s) is/are 19-54 (renumbered as claims 1-13, 17-29, 14, 30, 15, 31, 16 and 32-36, respectively).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None* of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/929,055.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT AND REASONS FOR ALLOWANCE

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the specification, between the title and line 1, the following paragraph was inserted:

-- This application is a continuation of U.S. Application Serial No. 09/929,055, filed August 14, 2001, now U.S. Patent No. 6,654,332. --;

in claim 42, line 1; "claim 28," was changed to -- claim 32, --;

in claim 43, line 1; "claim 28," was changed to -- claim 32, --;

in claim 44, line 1; "claim 28," was changed to -- claim 32, --.

The claims were amended in order to correct the dependency of the claims.

The following is an examiner's statement of reasons for allowance: the prior art of record considered as a whole fails to teach or suggest a record carrier or method of producing the record carrier, the record carrier, comprising either:

a substrate with information tracks; and a primary channel signal contained in the information tracks, **the power spectrum of the primary channel signal has a predetermined spectral shape in a predetermined frequency range, the spectral shape of the power spectrum of the primary channel signal includes a notch of lower power in a predetermined frequency range, the primary channel signal being generated by modulating data-words to form channel-words that are combined sequentially and wherein the modulation of the data-words is chosen such that the predetermined spectral shape of the primary channel signal depends on an evaluation criterion based on a spectral weight function, the shape of the spectral weight function is tailored to the spectral extent of a secondary binary signal; or**

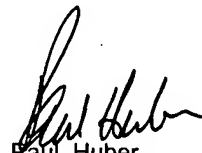
a substrate having an information track; wiggles of the information track representing a secondary signal; and marks in the information track representing a primary signal; and wherein: the secondary signal provides control information for reproducing the primary signal from the record carrier; and **a power spectrum of the primary signal has a notch of lower power with a frequency range of the notch depending on a frequency range of the**

Art Unit: 2627

power spectrum of the secondary signal, so as to reduce cross talk between the primary and secondary signal when the signals are read from the record carrier. (bold language emphasized)

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Huber whose telephone number is 571-272-7588.



Paul Huber
Primary Examiner
Art Unit 2627

pwh
March 19, 2007